

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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NYKCOOL A.B.,

**12 Civ. 5754 (LAK) (AJP)**

Plaintiff,

NOTICE OF MOTION IN  
LIMINE

-against-

PACIFIC INTERNATIONAL SERVICES,  
INC., PAN AMERICAN TRADING  
COMPANY, INC., FRUIT IMPORTERS  
AMERICAS, INC., PACIFIC GROUP  
HOLDING, INC., ECUADORIAN LINE,  
SOUTH PACIFIC SHIPPING CO. LTD.,  
ALVARO FERNANDO NOBOA PONTON,  
CARLOS AGUIRRE, CARLOS AHLSTROM,  
EDWARD HICKEY, ROBERT KISSINGER,  
and TRUISFRUIT S.A.,

Defendants,

-and-

PACIFIC FRUIT INC. and KELSO  
ENTERPRISES LTD.,

Defendants-in Interest.

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PLEASE TAKE NOTICE, that plaintiff, NYKCOOL A.B. ("NYKCool"), will move the Court before the Honorable Lewis A. Kaplan at the Courthouse located at 500 Pearl Street, New York, New York, for an order precluding or, in the alternative, limiting the testimony at trial of the defendants' declared witnesses, Carlos Aguirre and/or Edward Hickey, taking judicial notice at trial of the Court's prior

findings, and granting to NYKCool such other and further relief as the Court may deem just and proper.

Dated: New York, New York  
May 30, 2014

MAHONEY & KEANE, LLP  
Attorneys for Plaintiff

By:

  
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